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FILED

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N.J. BOARD OF NURSING

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF

TINA FRIDAY, R.N. LICENSE # NR 14338600

TO PRACTICE NURSING IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER IN RESOLUTION OF PROVISIONAL ORDER OF DISCIPLINE

This matter was opened to the New Jersey State Board of Nursing ("Board") upon the filing of a Provisional Order of Discipline on August 15, 2014 alleging that respondent had failed to comply with a Board order entered on October 15, 2012. The order required respondent to remain enrolled in the Professional Assistance Program of New Jersey (PAP) until successful completion, at which time respondent would be able to

apply for relief from the restrictions imposed by the 2012 order.

The Board had been advised that respondent had been released from PAP without having demonstrated any evidence of substance use disorder, and respondent had requested a removal of the restrictions imposed by the 2012 order in a letter dated October 7, 2013. The Board then requested, in a communication dated March 6, 2014, that respondent submit to evaluation by a Board-approved evaluator in order to reassure the Board that removal of restrictions was warranted. The Board did not receive a response to this communication, and respondent maintains that she never received it.

In a letter dated April 29, 2014, the Board was notified that Ms. Friday had not shown a copy of the 2012 order to her employers, as required pursuant to the order. Respondent maintains that she had informed the Director of Operations at Nationwide Ambulance Services of the existence of the order.

In order to resolve this matter without further proceedings, the Board now withdraws the allegations set forth in the Provisional Order of Discipline filed on August 15, 2014. The Board finds that the within order is sufficiently protective of the public health, safety and welfare, and for other good cause shown;

## HEREBY ORDERED AND AGREED THAT:

- 1. Respondent shall enroll in, and remain compliant with, all of the terms and conditions of participation in the Recovery and Monitoring Program of New Jersey (RAMP) for a minimum of 90 days. Respondent shall cause RAMP to inform the Board in writing if respondent is non-compliant with, or is terminated from or resigns from further participation in the program together with the reason for and complete documentation of the non-compliance, termination and/or resignation. Notification of the Board shall be within 24 hours of determination of non-compliance, termination or resignation, or as soon thereafter as is practicable. Respondent shall provide RAMP's Director with a complete copy of the within Order.
- 2. Respondent shall undergo a comprehensive mental health and substance use evaluation to be conducted by a qualified mental health professional as recommended by RAMP. The evaluator shall prepare a report which shall include an evaluation of respondent's mental health and substance use history (if any), and shall indicate whether respondent is able to safely and competently practice nursing. Said report shall include recommendations for treatment and monitoring, if applicable, including the need for continued random screenings or limitations of practice, if applicable. Respondent shall follow the recommendations (if any) by RAMP and/or the evaluator for

treatment, and/or more lengthy enrollment in RAMP, and to limit or refrain from nursing practice in New Jersey or any other jurisdiction, if required by RAMP. This may include respondent placing her license into inactive status.

- 3. Respondent shall refrain from the use of any and all potentially addictive substances, including alcohol, except as prescribed by an authorized health care practitioner who is made aware of respondent's participation in RAMP. Respondent shall report any such use to RAMP in writing within five days of receiving such a prescription together with the name of the prescribing health care practitioner, the name of the drug, the quantity, frequency, expected length of use and reason for its use.
- 4. Respondent shall provide a release to RAMP allowing RAMP to provide pertinent reports, records and other information pertaining to respondent to the Board. Respondent's signature on this order signifies respondent's waiver of any right to confidentiality with respect to these matters, and respondent's agreement that the Board may utilize any such reports, records and other information it receives from RAMP in any proceeding regarding respondent's licensure and that the Board may release any pertinent information in its possession to RAMP.
- 5. Respondent shall attend regular 12 step support group meetings or the equivalent, and nurse peer support group

meetings, if required by RAMP. She shall attend individual appropriate treatment until successful discharge, if required by RAMP. Respondent shall submit to random observed urine testing and/or hair, blood and nail testing if required by RAMP. Respondent's failure to submit to any such testing shall be deemed to be a violation of the terms of this Order.

- 6. Respondent shall timely provide to RAMP any and all reports required pursuant to her RAMP contract, including reports from her employer or self-assessment reports.
- 7. Respondent shall notify RAMP within 10 days of any change of address, or any termination, resignation or leave of absence from any place of nursing employment.
- 8. Respondent shall immediately inform each employer representative and nursing supervisor of the terms of this Order and provide them with a copy of the Order. Respondent shall ensure that each employer representative and nursing supervisor provides written notification on facility letterhead to RAMP acknowledging receipt of a copy of the within Order and its terms.
- 9. Respondent shall be responsible for all costs of the comprehensive mental health and substance use evaluation, urine screens, the enrollment/participation fees associated with RAMP and/or treatment and monitoring, if applicable. Respondent shall remain in RAMP until successful completion of the program. Upon

successful completion of RAMP, respondent shall notify the Board in writing. Upon receipt of written notification from the Board, respondent may then be released from the requirements of this Order by written notification, without further order of the Board.

- 10. Unless respondent has successfully completed RAMP, and received written notification from the Board that she is released from the requirements of this Order, respondent may not modify the conditions of this Order without submitting a written petition to the Board providing a detailed explanation of the basis for the modification required, and must then enter into a new, modified agreement with the Board in the event the Board grants respondent's petition for modification.
- 11. Engaging in deceptive practices that are material to the functioning of the program, such as deception relating to screenings such as altering urine samples, working as a nurse while not authorized by RAMP to do so, and working as a nurse without disclosing that employment to RAMP, shall be considered a violation of this order.
- 12. Any deviation from the terms of this Order without the prior written consent of the Board shall constitute a failure to comply with the terms of this Order. Upon receipt of any reliable information indicating that respondent has violated any term of this Order, respondent's license may be automatically

suspended by the Board. Respondent, upon notice, may request a hearing to contest the entry of such an order. At any such hearing the sole issue shall be whether any of the information received regarding respondent was materially false. In addition, the Board reserves the right to bring further disciplinary action.

NEW JERSEY STATE BOARD OF NURSING

By:

Patricia Ann Murphy,

Board President

I have read and understand The within Consent Order and Agree to be bound by its terms.

Tina Friday, R.N.

Consent as to form and entry:

Kachleen M. Gialanella, Esq.

Attorney for respondent